

UNITED STATES DISTRICT COURT
 for the
 Western District of Washington

In the Matter of the Search of
 (Briefly describe the property to be searched
 or identify the person by name and address) }
 Two Facebook accounts: "Maria Garcia" with ID number
 100012398678974 and "Maria Tekeraoi" with ID number
 100014362298473, further described in Attachment A. }
 Case No. MJ17-526

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):
 Two Facebook accounts: "Maria Garcia" with ID number 100012398678974 and "Maria Tekeraoi" with ID number 100014362298473, further described in Attachment A.

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See attachment B for list of items to be seized.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. § 841 and 846	distribution of controlled substances and conspiracy; importation of controlled
21 U.S.C. § 960 and 963	substances and conspiracy

The application is based on these facts:
 See affidavit of Special Agent Terry D. Stinson

- Continued on the attached sheet.
- Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


 Applicant's signature

Terry D. Stinson, CGIS Special Agent
 Printed name and title

Sworn to before me pursuant to CrimRule 4.1.

Date: 12/20/2017


 Judge's signature

City and state: Seattle, Washington

U.S. Magistrate Judge Brian A. Tsuchida
 Printed name and title

ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with the Facebook user ID 100012398678974 and with the Facebook user ID 100014362298473 that is stored at premises owned, maintained, controlled, or operated by Facebook, a company headquartered in Menlo Park, California.

ATTACHMENT B

Particular Things to be Seized

I. Information to be disclosed by Facebook

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Facebook is required to disclose the following information to the government for each user ID listed in Attachment A:

- (a) All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, country, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
- (b) All activity logs for the account and all other documents showing the user's posts and other Facebook activities;
- (c) All photos and videos uploaded by that user ID and all photos and videos uploaded by any user that have that user tagged in them;
- (d) All original photos containing original EXIF data;
- (e) All profile information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests;

comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications;

- (f) All other records of communications and messages made or received by the user, including all private messages, chat history, video calling history, and pending "Friend" requests;
- (g) All "check ins" and other location information;
- (h) All IP logs, including all records of the IP addresses that logged into the account;
- (i) All records of the account's usage of the "Like" feature, including all Facebook posts and all non-Facebook webpages and content that the user has "liked";
- (j) All information about the Facebook pages that the account is or was a "fan" of;
- (k) All information about the Facebook pages that the account is or was a "following";
- (l) All past and present lists of friends created by the account;
- (m) All records of Facebook searches performed by the account;
- (n) All information about the user's access and use of Facebook Marketplace;
- (o) The types of service utilized by the user;
- (p) The length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number);
- (q) All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account;

- (r) All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account, including contacts with support services and records of actions taken.
- (s) Any and all location information associated with the Facebook account identified in attachment A. This could be general information such as the state and city the user identifies as their home on their Facebook profile, more refined information such as business names and addresses of places the user has "Checked In" at, the most precise information such as GPS latitude and longitude coordinates obtained when the user is active on Facebook, where postings were associated with, where a picture was taken, and where the user was when a post or message was created.

II. Information to be seized by the government

All information described above in Section I that constitutes fruits, evidence, and instrumentalities of violations of Title 21, Sections 841(a)(1), 846, 960, and 963 in 2016 and later, including, for each user ID identified on Attachment A, information pertaining to the following matters:

- (a) The importation and other distribution and transportation of controlled substances, including preparatory steps and follow up actions related to any such scheme;
- (b) Payment or planned payment or compensation in any form for any such importation or distribution of controlled substances;

- (c) Recruitment or attempted recruitment or retention of any participants or prospective participants in any such scheme to import or otherwise distribute controlled substances;
- (d) Records relating to who created, used, or communicated with the user IDs, about matters relating to the crimes described above, including records that help reveal their identities and whereabouts.
- (e) Evidence indicating how and when the Facebook account was accessed or used, to determine the chronological and geographic context of account access, use, and events relating to the crimes described above.
- (f) All subscriber records associated with the specified accounts, including name, address, local and long distance telephone connection records, or records of session times and durations, length of service (including start date) and types of service utilized, telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address, and means and source of payment for such service including any credit card or bank account number.
- (g) Any and all other log records, including IP address captures, associated with the specified accounts;
- (h) Any records of communications between Facebook and any person about issues relating to the account, such as technical problems, billing inquiries, or complaints from other users about the specified account. This to include records of contacts between the subscriber and the provider's support services, as well as records of any actions taken by the provider or subscriber as a result of the communications.

CERTIFICATE OF AUTHENTICITY OF
DOMESTIC RECORDS PURSUANT TO FEDERAL
RULES OF EVIDENCE 902(11) AND 902(13)

I, _____, attest, under penalties of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by Facebook, and my title is _____. I am qualified to authenticate the records attached hereto because I am familiar with how the records were created, managed, stored, and retrieved. I state that the records attached hereto are true duplicates of the original records in the custody of Facebook. The attached records consist of _____ [**GENERALLY DESCRIBE RECORDS (pages/CDs/megabytes)**]. I further state that:

- a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth by, or from information transmitted by, a person with knowledge of those matters, they were kept in the ordinary course of the regularly conducted business activity of Facebook, and they were made by Facebook as a regular practice; and
- b. such records were generated by Facebook's electronic process or system that produces an accurate result, to wit:

1. the records were copied from electronic device(s), storage medium(s), or file(s) in the custody of Facebook in a manner to ensure that they are true duplicates of the original records; and

2. the process or system is regularly verified by Facebook, and at all times pertinent to the records certified here the process and system functioned properly and normally.

I further state that this certification is intended to satisfy Rules 902(11) and 902(13) of the Federal Rules of Evidence.

Date

Signature

AFFIDAVIT

STATE OF WASHINGTON)
)
COUNTY OF KING)

I, Coast Guard Investigative Service Special Agent Terry D. Stinson, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant for information associated with a two Facebook user IDs that are stored at premises owned, maintained, controlled, or operated by Facebook, a social networking company headquartered in Menlo Park, California. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Facebook to disclose to the government records (including the content of communications) further described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

2. I am a Special Agent (S/A) with the U. S. Coast Guard Investigative Service (CGIS), and have been since October, 2009. I have been an active duty U. S. Coast Guard member for over 20 years and have participated in multiple aspects of federal law enforcement within that timeframe. Currently, I am assigned to the CGIS, Northwest Region office in Seattle, WA. In my official capacity I have investigated violations of federal and state law along with violations of the Uniform Code of Military Justice. My training includes attending both the Criminal Investigators Training Program at the Federal Law Enforcement Training

AFFIDAVIT OF TERRY D. STINSON

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1 Center as well as the Naval Criminal Investigative Service's Special Agent Basic
 2 Training Program. As part of my duties as a CGIS S/A, I have investigated drug
 3 trafficking organizations and their ability to traffic cocaine, methamphetamine, and
 4 heroin globally. I have conducted and/or participated in numerous investigations
 5 involving allegations, such as; sexual assault, rape, international drug smuggling,
 6 money laundering, drug manufacturing, robbery, weapons smuggling, alien
 7 smuggling, and child pornography. I have worked, led, and participated in
 8 multiple drug trafficking investigations and operations during my career. My
 9 training also encompasses other investigative experiences and training not
 10 enumerated herein.

12 3. The facts in this affidavit come from my personal observations, my
 13 training and experience, and information obtained from other officers, agents, and
 14 witnesses. This affidavit is intended to show merely that there is sufficient
 15 probable cause for the requested warrant and does not set forth all of my
 16 knowledge about this matter.

17 4. Based on my training and experience and the facts as set forth in this
 18 affidavit, there is probable cause to believe that violations of Title 21, United
 19 States Code, Sections 841(a)(1), 846 (distribution of controlled substances and
 20 conspiracy), 960 and 963 (importation of controlled substances and conspiracy)
 21 have been committed by persons including Marelvis Jacqueline AHUMADA
 22 GARCES, aka JACQUELIN, and others. There also is probable cause to search
 23 the information described in Attachment A and Section I of Attachment B for
 24 evidence of these crimes, as described in Section II of Attachment B.

THE INVESTIGATION

5. **Summary:** This affidavit is in support of a search warrant for two Facebook accounts: 1) for the Facebook account name “Maria Garcia,” Facebook ID number 100012398678974, which will hereafter be referred to as “TARGET FACEBOOK ACCOUNT 1,” and 2) the Facebook account name “Maria Tekeraoi,” Facebook ID number 100014362298473, which will hereafter be referred to as “TARGET FACEBOOK ACCOUNT 2.”

6. As detailed below, both TARGET FACEBOOK ACCOUNTS are used by Marelvis Jacqueline AHUMADA GARCES, aka JACQUELIN. The investigation has shown that AHUMADA GARCES uses the TARGET FACEBOOK ACCOUNTS to recruit and coordinate professional mariners to smuggle controlled substances from South and Central America to North America and Europe via commercial container vessels.

7. **Motor Vessel (M/V) *CAP JACKSON* Seizure:** On September 3, 2016, the Royal Canadian Mounted Police (RCMP) seized approximately 196 kilograms of cocaine that had been smuggled to British Columbia on board the container ship M/V (Motor Vessel) *Cap Jackson*. Refua KABUTA, aka Rebua KABUTA, is a professional mariner from the Republic of Kiribati who was a crew member of the M/V *Cap Jackson* at the time of the seizure. According a crew member interviewed later who admitted bringing a package on board the M/V *Cap Jackson* in Colombia, KABUTA and at least one other mariner had attempted to lower that package (which turned about to be a load of cocaine) to an awaiting vessel when the M/V *Cap Jackson* departed the Fraser River in British Columbia, Canada. A pilot boat noticed the package, retrieved it, and turned it over to

1 Canadian authorities. KABUTA's name appears on the friends list for both
 2 TARGET FACEBOOK ACCOUNT 1 and TARGET FACEBOOK ACCOUNT 2.

3 8. After the seizure in Canada, the M/V *Cap Jackson* sailed to
 4 Oakland, California, where U.S. law enforcement officials boarded the vessel on
 5 September 7, 2016. During that operation, officers recovered the Colombian
 6 telephone number 57-3013615307 labeled as "Kimmy" from a mobile telephone
 7 recovered from KABUTA. Also located in KABUTA's mobile telephone was the
 8 British Columbia telephone number (604) 704-1178. Analysis showed that
 9 KABUTA's mobile telephone communicated with 57-3013615307 September 2,
 10 2016, prior to the attempted at-sea transfer of the cocaine, and then KABUTA's
 11 phone began communicating with the telephone number (604) 704-1178 on
 12 September 2 and 3, 2016.

14 9. On October 8, 2016, I assisted U.S. Customs and Border Protection
 15 (CBP) with the secondary inspection of Rebua KABUTA at Los Angeles
 16 International Airport (LAX) as he traveled to Kiribati through the United States.
 17 During the secondary inspection of KABUTA, CBP officers located in
 18 KABUTA's personal belongings a mini composition notebook with "R Kabuta
 19 Notebook" handwritten on the cover. The back cover of the notebook contained a
 20 handwritten notation of the British Columbia mobile telephone number (604) 704-
 21 1178. With the assistance of RCMP, the telephone number (604) 704-1178 was
 22 identified as being subscribed to by a person who had recently traveled to
 23 Colombia. Phone records also showed that the phone, on the night the cocaine was
 24 dropped into the water, was in the vicinity of a marina near the drop site. Also
 25 located in KABUTA's notebook was the handwritten email address
 26 BRAYLIN777@hotmail.com with the name "Jackkie" written below it. As
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1 detailed below, the investigation has shown that Marelvis Jacqueline AHUMADA
 2 GARCES, aka JACQUELIN, identified her email address as
 3 BRAYLIN777@hotmail.com in two Western Union money transfers in which she
 4 sent funds from Panama to Colombia.

5 10. Located in KABUTA's notebook were multiple handwritten
 6 Western Union money transfer control numbers (MTCN) for individuals in names
 7 other than his own. According to KABUTA's notebook, two of the MTCN's, 106-
 8 360-6406 and 471-152-2649, were associated to a "Rawata ITINNEITA".
 9 Western Union information showed both MTCN's were initiated on August 29,
 10 2016, by an individual from two separate locations in Panama City, Panama and
 11 were paid to a Ratawa ITINNEITA in Kiribati. Both wires were for \$1,934.69
 12 each in U.S. funds. According to Western Union, ITINNEITA also received a wire
 13 from Marelvis Jacqueline AHUMADA GARCES, aka JACQUELINE.

14 11. **M/V RIO DE JANEIRO Seizure:** According to open source
 15 reporting, on October 20, 2016, Teisi BURATAAKE was one of nine Kiribati
 16 crewmembers arrested by Italian law enforcement in an attempted cocaine
 17 smuggling event in Gioia Tauro, Italy. BURATAAKE and eight other Kiribati
 18 crewmembers allegedly attempted to smuggle approximately 385 kilograms of
 19 cocaine from South America onboard the M/V *RIO DE JANEIRO* when they were
 20 apprehended in Italy. BURATAAKE is a professional mariner from Kiribati
 21 whose name appeared on TARGET FACEBOOK ACCOUNT 1 friends list.

22 12. **Confidential Informant (CI) Information:** In March 2017, law
 23 enforcement officials contacted a confidential informant (CI) in the United States
 24 following the CI's involvement in a suspicious incident in British Columbia,
 25 Canada onboard a commercial container vessel. (The CI had admitted to Canadian
 26

1 authorities that he/she had been involved in drug smuggling on board the vessel
 2 from Colombia to Mexico. The CI has not been paid for any cooperation, nor have
 3 I made any promises about avoiding prosecution. I believe, however, the CI is
 4 providing information in hopes of retaining his/her job as a professional mariner
 5 and to avoid prosecution.) The CI's container vessel had arrived in British
 6 Columbia after its port call in Seattle, Washington. According to the CI, in
 7 February or March of 2017 (before the CI communicated with law enforcement),
 8 the CI along with a second crewmember successfully smuggled an estimated 20 to
 9 30 kilograms of what the CI believed to be cocaine from Cartagena, Colombia to
 10 Manzanillo, Mexico onboard that same container vessel. The suspected cocaine
 11 was contained in Everlast punching bags. In the September, 2016 seizure from the
 12 M/V *Cap Jackson* described above, the cocaine also was contained in Everlast
 13 punching bags.

14 13. The CI said they were to be paid \$1,000 per kilogram of cocaine
 15 smuggled. The CI was initially recruited by a crewmember onboard the CI's
 16 vessel to smuggle cocaine from Colombia to Mexico. Following the CI's initial
 17 recruitment, the other crewmember began communicating with the Colombian-
 18 based drug trafficking organization (DTO) via TARGET FACEBOOK
 19 ACCOUNT 1. The CI identified the TARGET FACEBOOK ACCOUNT 1 name
 20 the crewmember was communicating with as "Mariana Garcia." The CI identified
 21 the person communicating via TARGET FACEBOOK ACCOUNT 1 as a
 22 Colombian female. The CI said he/she had met the female on one occasion while
 23 in port in Cartagena, Colombia in February or March 2017. The CI said the DTO
 24 attempted to recruit the CI to smuggle cocaine to the Pacific Northwest and Europe
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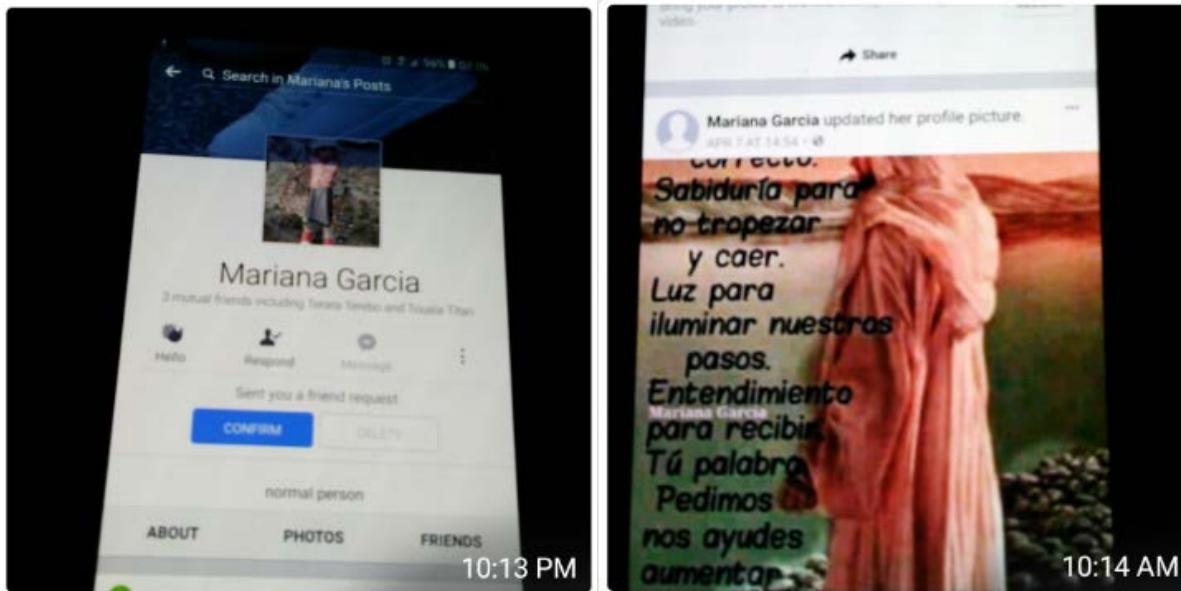
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1 for future smuggling events, but the CI was concerned about U.S. and European
 2 law enforcement interdicting them.

3 14. The CI said prior to the Colombia to Mexico smuggling event
 4 described above, the DTO provided the CI with a mobile telephone and the
 5 Colombian telephone number 57-3013615307 (this telephone number was
 6 previously identified in KABUTA's mobile telephone and listed as "Kimmy") to
 7 be called for coordination during the operation. However, the CI said TARGET
 8 FACEBOOK ACCOUNT 1 is how the CI communicated with their handler the
 9 most during the cocaine smuggling events in Mexico.

10 15. On April 25, 2017, the CI told me they had been contacted via
 11 TARGET FACEBOOK ACCOUNT 1 and was told the DTO had sent money to
 12 the CI's family from Panama earlier that month.

13 16. On April 27, 2017, the CI provided me with the following images
 14 for Target Facebook Account 1:



26 17. On April 30, 2017, the CI said they had been paid approximately
 27 \$8,000 to date for the smuggling event the CI had previously conducted from
 28

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1 Colombia to Mexico. The CI said he/she and the other crewmember were still
 2 owed approximately \$16,000 total from the previous cocaine smuggling event.

3 18. On May 19, 2017, the CI told me they had sent a Facebook
 4 Messenger request to TARGET FACEBOOK ACCOUNT 1 and were awaiting a
 5 response.

6 19. On May 28, 2017, the CI informed me the CI was contacted by a
 7 female from TARGET FACEBOOK ACCOUNT 1. The CI said the female told
 8 the CI she would be in Panama "for sending money for the people who works for
 9 them." [sic] Based on this investigation and my experience in investigating such
 10 matters, I believe, "the people who works for them" was a direct reference to
 11 maritime cocaine smugglers and those individuals structuring payments via
 12 Western Union.

14 20. On May 31, 2017, I conducted a debrief of the CI in Seattle,
 15 Washington. During the debrief, the CI said the female they had been
 16 communicating with via TARGET FACEBOOK ACCOUNT 1 identified herself
 17 as "JACQUELIN".

18 21. On June 8, 2017, the CI told me that during the previously reported
 19 Mexico smuggling event, JACQUELIN contacted them via TARGET
 20 FACEBOOK ACCOUNT 1 to confirm everything was "ok" during and after when
 21 the CI made the transfer at sea of the suspected cocaine in Mexico. The CI said
 22 JACQUELIN then hired someone to send money to the CI's family as payment for
 23 the cocaine smuggling event.

25 22. On June 10, 2017, the CI provided me with Western Union
 26 transaction information for a Yuranis Paola AHUMADA GARCES from Panama
 27 City, Panama. The CI said Yuranis AHUMADA GARCES previously sent money

1 via Western Union from Panama to a suspected maritime drug smuggler's family
 2 member following a successful maritime cocaine smuggling event.

3 23. On June 21, 2017, the CI said that JACQUELIN was recruiting the
 4 CI to smuggle a load of cocaine to Europe from Colombia onboard their vessel.

5 24. On June 22, 2017, the CI said JACQUELIN was, "preparing the
 6 food" for when they had time to meet. Based on my prior investigative experience,
 7 I believe "food" was a code word for drugs or cocaine. The code word "food" has
 8 been used in other parts of this investigation to mean cocaine by the DTO and
 9 those tasked with smuggling cocaine.

10 25. The CI stated that JACQUELIN was attempting to prepare a "small
 11 load.. as it takes time to prepare big loads." The CI said JACQUELIN attempted
 12 to recruit Timea ATATA, a second crewmember onboard the CI's vessel to help
 13 smuggle a load of cocaine to Europe. The CI said ATATA was too scared to
 14 smuggle due to the nine Kiribati crewmembers who were previously arrested while
 15 attempting to smuggle approximately 385 kilograms of cocaine to Europe onboard
 16 the M/V RIO DE JANEIRO on or about October 20, 2016. ATATA was identified
 17 as being a Facebook friend of TARGET FACEBOOK ACCOUNT 2.

18 26. The CI said JACQUELIN told the CI via TARGET FACEBOOK
 19 ACCOUNT 1 that "the person in spain" [sic] was a problem for her and that person
 20 blamed her for the lost load of cocaine.

21 27. According to Western Union information, on April 11, 2017,
 22 Yuranis AHUMADA GARCES sent two wires to an individual in Tarawa,
 23 Kiribati; both wires were the same amount \$1934.69 USD each, with one wire sent
 24 at 1:16 PM and the second sent at 4:47 PM. The wires were sent from different
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1 locations in Panama City, Panama. Payments were received in Australian dollars
 2 (\$ 2498.62 AUD each).

3 28. On July 18, 2017, the CI confirmed that JACQUELIN was still
 4 residing in Panama and was working toward her Panamanian citizenship.

5 29. On November 2, 2017, the CI said he/she also communicated with
 6 JACQUELIN on TARGET FACEBOOK ACCOUNT 2. According to the CI, in
 7 October 2017, JACQUELIN asked the CI to help her find “frens” [sic] on the M/V
 8 *Monte Cervantes*. The CI provided me a screen shot from the CI’s conversation
 9 with JACQUELIN via TARGET FACEBOOK ACCOUNT 2 where JACQUELIN
 10 stated, “I think I go to costa rica to look same work three have much ship Kiribati
 11 crew”. [sic] The CI confirmed that JACQUELIN meant she intended to go to
 12 Costa Rica in order to recruit Kiribati mariners to smuggle cocaine.

14 30. **Western Union Transactions:** Western Union records showed that
 15 between May 31, 2016, and July 7, 2016, Marelvis Jacquelin AHUMADA
 16 GARCES sent three wires from Santamarta, Colombia to two separate Kiribati
 17 nationals in Tarawa, Kiribati. On 31 May, 2016, AHUMADA GARCES sent two
 18 wires: one at 12:24 pm to Ratawa ITINNEITA in the amount of \$345.62, and the
 19 second, at 12:36 pm, for \$313.15 to Raabwa KARAWAITI. On July 7, 2016,
 20 AHUMADA GARCES sent \$265.42 to Raabwa KARAWAITI.

21 31. According to Western Union, on December 24, 2016 Yuranis
 22 AHUMADA GARCES sent two wires from Valledupar, Colombia to Tarawa,
 23 Kiribati. Both wires originated as Colombian Pesos with a U.S. dollar value of
 24 \$1,020.43 and were received in Kiribati as Australian Dollars (\$ 1388.32 AUD).
 25 One wire was sent to Tariri TIANUARE and the other to Terakoua MARAITI.
 26 TIANUARE has entered the U.S. on numerous occasions, and his travel patterns
 27

1 appear to be consistent with those of a professional mariner. Of note, TIANUARE
 2 was previously identified by law enforcement as one of the Kiribati mariners
 3 identified on the TARGET FACEBOOK ACCOUNT 1 friends list.

4 32. According to Western Union, between August 27, 2016, and June
 5 10, 2017, Yuranis AHUMADA GARCES received ten wires in Valledura,
 6 Colombia. All of these wires were from Marelvis Jacquelin AHUMADA
 7 GARCES. Eight of the payments were sent from Panama. One payment was sent
 8 from Limon, Costa Rica (\$200 USD), and one payment was sent from Tavernes de
 9 la Valldinga, Spain (€100 EURO).

10 33. According to Western Union, Marelvis Jacquelin AHUMADA
 11 GARCES conducted two Western Union transactions where she indicated her
 12 email address as being BRAYLIN777@hotmail.com. The first transaction
 13 occurred on September 16, 2017, where she sent \$60.00 from Panama City,
 14 Panama to Christian ADARRAGA AHUMADA in Valledupar, Colombia. On
 15 September 29, 2017, Marelvis Jacquelin AHUMADA GARCES identified her
 16 email as being BRAYLIN777@hotmail.com in a transaction to Yuranis Paolo
 17 AHUMADA GARCES in the amount of \$195.00. The transaction originated in
 18 Panama City, Panama and the transaction was received in Valledupar, Colombia.
 19 As noted above, the BRAYLIN777@hotmail.com email address was previously
 20 discovered, handwritten in the notebook belonging to KABUTA during his
 21 secondary inspection at LAX.

22 34. From June 21, 2017 to September 29, 2017, Marelvis Jacquelin
 23 AHUMADA GARCES conducted 12 transactions via Western Union (including
 24 the two aforementioned transactions where she identified her email address as
 25 BRAYLIN777@hotmail.com). Nine of those transactions originated in Almirante,
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 27

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1 Panama and three originated in Panama City, Panama. On July 1, 2017, Marelvis
 2 Jacquelin AHUMADA GARCES sent \$486.60 to Raimon MATANG in Tarawa,
 3 Kiribati. On August 30, 2017, Marelvis Jacquelin AHUMADA GARCES sent
 4 \$1074.33 to Katia Luz EGUIS Pereira in Santa Cruz de Tenerife, Spain.

5 35. **Law Enforcement Review of TARGET FACEBOOK**

6 **ACCOUNTS 1 & 2:** In May 2017, law enforcement officials began capturing the
 7 information from the publicly available Facebook friends list from TARGET
 8 FACEBOOK ACCOUNT 1. During the review of the gathered information,
 9 officers and agents identified that TARGET FACEBOOK ACCOUNT 1 was
 10 Facebook “friends” with 131 suspected professional mariners from the Republic of
 11 Kiribati and the country of Tuvalu. Based on U.S. travel records, 61 of those
 12 mariners had previously entered the United States onboard commercial vessels.
 13 Since August 1, 2016, eight of those mariners have traveled through the Western
 14 District of Washington onboard commercial vessels a combined total of 16 times.

15 36. By June 2017, the TARGET FACEBOOK ACCOUNT 1 name,
 16 “Mariana Garcia” was changed to “Maria Garcia”. On May 2, 2017, it was
 17 confirmed that although the name for TARGET FACEBOOK ACCOUNT 1 was
 18 changed, the Facebook ID number remained the same. I viewed the Facebook
 19 page under each name and the profile picture and profile cover were the same
 20 under both names, providing further evidence that the account remained the same
 21 with simply a name change as described above.

22 37. In July 2017, TARGET FACEBOOK ACCOUNT 1’s previously
 23 publicly available friends list became restricted. Law enforcement officials were
 24 no longer able to view the Facebook friends list for TARGET FACEBOOK
 25 ACCOUNT 1.

26 AFFIDAVIT OF TERRY D. STINSON

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38. On September 25, 2017, I conducted a Facebook query for TARGET FACEBOOK ACCOUNT 1. During my query, I found under the “Other Names” section of the “About” tab of TARGET FACEBOOK ACCOUNT 1, the “Nickname” listed as “jacky”.

39. On November 3, 2017, during a review of TARGET FACEBOOK ACCOUNT 2, I identified 29 of the 55 friends listed in the Facebook friends list as being “friends” with TARGET FACEBOOK ACCOUNT 1 as well as TARGET FACEBOOK ACCOUNT 2. The majority of the Facebook friends listed in TARGET FACEBOOK ACCOUNT 2 appear to be professional mariners. Based on U.S. travel records, 32 of those mariners had previously entered the United States onboard commercial vessels. Since August 1, 2016, seven of those mariners have traveled to or through the Western District of Washington onboard commercial vessels a combined total of 14 times. Since August 1, 2016, A combined total of 15 Facebook friends with TARGET ACCOUNT 1 and TARGET ACCOUNT 2 have traveled to or through the Western District of Washington onboard commercial vessels an approximate total of 30 times.

40. In conclusion, information revealed through law enforcement encounters, customs inspections, financial transactions, and a CI information revealed that there is probable cause to believe that Marelvis Jacquelín AHUMADA GARCES, aka JACQUELIN is using TARGET FACEBOOK ACCOUNT 1 and TARGET FACEBOOK ACCOUNT 2 to help facilitate cocaine smuggling from Colombia to North America and Europe via container vessels.

BACKGROUND RELATED TO FACEBOOK SOCIAL NETWORKING SERVICES

41. I am aware from my experience and training, and consultation with other investigators, of the following information about Facebook:

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1 42. Facebook owns and operates a free-access social networking website
 2 of the same name that can be accessed at <http://www.facebook.com>. Facebook
 3 allows its users to establish accounts with Facebook, and users can then use their
 4 accounts to share written news, photographs, videos, and other information with
 5 other Facebook users, and sometimes with the general public.

6 43. Facebook asks users to provide basic contact and personal
 7 identifying information to Facebook, either during the registration process or
 8 thereafter. This information may include the user's full name, birth date, gender,
 9 contact e-mail addresses, Facebook passwords, Facebook security questions and
 10 answers (for password retrieval), physical address (including city, state, and zip
 11 code), telephone numbers, screen names, websites, and other personal identifiers.
 12 Facebook also assigns a user identification number to each account.

14 44. Facebook users may join one or more groups or networks to connect
 15 and interact with other users who are members of the same group or network.
 16 Facebook assigns a group identification number to each group. A Facebook user
 17 can also connect directly with individual Facebook users by sending each user a
 18 "Friend Request." If the recipient of a "Friend Request" accepts the request, then
 19 the two users will become "Friends" for purposes of Facebook and can exchange
 20 communications or view information about each other. Each Facebook user's
 21 account includes a list of that user's "Friends" and a "News Feed," which
 22 highlights information about the user's "Friends," such as profile changes,
 23 upcoming events, and birthdays.

25 45. Facebook users can select different levels of privacy for the
 26 communications and information associated with their Facebook accounts. By
 27 adjusting these privacy settings, a Facebook user can make information available

1 only to himself or herself, to particular Facebook users, or to anyone with access to
 2 the Internet, including people who are not Facebook users. A Facebook user can
 3 also create “lists” of Facebook friends to facilitate the application of these privacy
 4 settings. Facebook accounts also include other account settings that users can
 5 adjust to control, for example, the types of notifications they receive from
 6 Facebook.

7 46. Facebook users can create profiles that include photographs, lists of
 8 personal interests, and other information. Facebook users can also post “status”
 9 updates about their whereabouts and actions, as well as links to videos,
 10 photographs, articles, and other items available elsewhere on the Internet.
 11 Facebook users can also post information about upcoming “events,” such as social
 12 occasions, by listing the event’s time, location, host, and guest list. In addition,
 13 Facebook users can “check in” to particular locations or add their geographic
 14 locations to their Facebook posts, thereby revealing their geographic locations at
 15 particular dates and times. A particular user’s profile page also includes a “Wall,”
 16 which is a space where the user and his or her “Friends” can post messages,
 17 attachments, and links that will typically be visible to anyone who can view the
 18 user’s profile (subject to the privacy settings selected by the account user).

19 47. Facebook allows users to upload photos and videos. It also provides
 20 users the ability to “tag” (i.e., label) other Facebook users in a photo or video.
 21 When a user is tagged in a photo or video, he or she receives a notification of the
 22 tag and a link to see the photo or video. For Facebook’s purposes, the photos and
 23 videos associated with a user’s account will include all photos and videos uploaded
 24 by that user that have not been deleted, as well as all photos and videos uploaded
 25 by any user that have that user tagged in them.

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1 48. Facebook users can exchange private messages on Facebook with
 2 other users. These messages, which are similar to e-mail messages, are sent to the
 3 recipient's "Inbox" on Facebook, which also stores copies of messages sent by the
 4 recipient, as well as other information. Facebook users can also post comments on
 5 the Facebook profiles of other users or on their own profiles; such comments are
 6 typically associated with a specific posting or item on the profile. In addition,
 7 Facebook has a Chat feature that allows users to send and receive instant messages
 8 through Facebook. These chat communications are stored in the chat history for
 9 the account. Facebook also has a Video Calling feature, and although Facebook
 10 does not record the calls themselves, it does keep records of the date of each call.
 11

12 49. If a Facebook user does not want to interact with another user on
 13 Facebook, the first user can "block" the second user from seeing his or her
 14 account.

15 50. Facebook has a "like" feature that allows users to give positive
 16 feedback or connect to particular pages. Facebook users can "like" Facebook posts
 17 or updates, as well as webpages or content on third-party (*i.e.*, non-Facebook)
 18 websites. Facebook users can also become "fans" of particular Facebook pages.

19 51. Facebook has a search function that enables its users to search
 20 Facebook for keywords, usernames, or pages, among other things.

21 52. Each Facebook account has an activity log, which is a list of the
 22 user's posts and other Facebook activities from the inception of the account to the
 23 present. The activity log includes stories and photos that the user has been tagged
 24 in, as well as connections made through the account, such as "liking" a Facebook
 25 page or adding someone as a friend. The activity log is visible to the user but
 26 cannot be viewed by people who visit the user's Facebook page.

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1 53. Facebook Notes is a blogging feature available to Facebook users,
 2 and it enables users to write and post notes or personal web logs (“blogs”), or to
 3 import their blogs from other services, such as Xanga, LiveJournal, and Blogger.

4 54. The Facebook Gifts feature allows users to send virtual “gifts” to
 5 their friends that appear as icons on the recipient’s profile page. Gifts cost money
 6 to purchase, and a personalized message can be attached to each gift. Facebook
 7 users can also send each other “pokes,” which are free and simply result in a
 8 notification to the recipient that he or she has been “poked” by the sender.

9 55. Facebook also has a Marketplace feature, which allows users to post
 10 free classified ads. Users can post items for sale, housing, jobs, and other items on
 11 the Marketplace.

12 56. In addition to the applications described above, Facebook also
 13 provides its users with access to thousands of other applications on the Facebook
 14 platform. When a Facebook user accesses or uses one of these applications, an
 15 update about that the user’s access or use of that application may appear on the
 16 user’s profile page.

17 57. Some Facebook pages are affiliated with groups of users, rather than
 18 one individual user. Membership in the group is monitored and regulated by the
 19 administrator or head of the group, who can invite new members and reject or
 20 accept requests by users to enter. Facebook can identify all users who are currently
 21 registered to a particular group and can identify the administrator and/or creator of
 22 the group. Facebook uses the term “Group Contact Info” to describe the contact
 23 information for the group’s creator and/or administrator, as well as a PDF of the
 24 current status of the group profile page.

1 58. Facebook uses the term “Neoprint” to describe an expanded view of
 2 a given user profile. The “Neoprint” for a given user can include the following
 3 information from the user’s profile: profile contact information; News Feed
 4 information; status updates; links to videos, photographs, articles, and other items;
 5 Notes; Wall postings; friend lists, including the friends’ Facebook user
 6 identification numbers; groups and networks of which the user is a member,
 7 including the groups’ Facebook group identification numbers; future and past
 8 event postings; rejected “Friend” requests; comments; gifts; pokes; tags; and
 9 information about the user’s access and use of Facebook applications.
 10

11 59. Facebook also retains Internet Protocol (“IP”) logs for a given user
 12 ID or IP address. These logs may contain information about the actions taken by
 13 the user ID or IP address on Facebook, including information about the type of
 14 action, the date and time of the action, and the user ID and IP address associated
 15 with the action. For example, if a user views a Facebook profile, that user’s IP log
 16 would reflect the fact that the user viewed the profile, and would show when and
 17 from what IP address the user did so.

18 60. Social networking providers like Facebook typically retain
 19 additional information about their users’ accounts, such as information about the
 20 length of service (including start date), the types of service utilized, and the means
 21 and source of any payments associated with the service (including any credit card
 22 or bank account number). In some cases, Facebook users may communicate
 23 directly with Facebook about issues relating to their accounts, such as technical
 24 problems, billing inquiries, or complaints from other users. Social networking
 25 providers like Facebook typically retain records about such communications,
 26 including records of contacts between the user and the provider’s support services,
 27

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1 as well as records of any actions taken by the provider or user as a result of the
2 communications.

3 61. Therefore, the computers of Facebook are likely to contain all the
4 material described above, including stored electronic communications and
5 information concerning subscribers and their use of Facebook, such as account
6 access information, transaction information, and other account information. I
7 believe such information is likely to help me locate the fugitive described in this
8 affidavit.

INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

11 62. I anticipate executing this warrant under the Electronic
12 Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A)
13 and 2703(c)(1)(A), by using the warrant to require Facebook to disclose to the
14 government copies of the records and other information (including the content of
15 communications) for the Target Facebook Account described in Attachment A, as
16 more particularly described in Section I of Attachment B. Upon receipt of the
17 information described in Section I of Attachment B, government-authorized
18 persons will review that information to locate the items described in Section II of
19 Attachment B.

REQUEST FOR NONDISCLOSURE AND SEALING

63. The government requests, pursuant to the preclusion of notice provisions
of Title 18, United States Code, Section 2705(b), that Facebook be ordered not to notify
any person (including the subscriber or customer to which the materials relate) of the
existence of this warrant for such period as the Court deems appropriate. The
government submits that such an order is justified because notification of the existence of
this Order would seriously jeopardize the ongoing investigation. Such a disclosure would

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1 give the subscriber an opportunity to destroy evidence, change patterns of behavior,
2 notify confederates, or flee or continue any flight from prosecution.

3 64. It is further respectfully requested that this Court issue an order
4 sealing, until further order of the Court, all papers submitted in support of this
5 application, including the application and search warrant. I believe that sealing
6 this document is necessary because the items and information to be seized are
7 relevant to an ongoing investigation, and law enforcement may attempt to conduct
8 searches and intercept large shipments of controlled substances. Premature
9 disclosure of the contents of this affidavit and related documents may have a
10 significant and negative impact on the continuing investigation and may severely
11 jeopardize its effectiveness.

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CONCLUSION

65. Based on the forgoing, I request that the Court issue the proposed search warrant. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. *See* 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is “a district court of the United States . . . that – has jurisdiction over the offense being investigated.” 18 U.S.C. § 2711(3)(A)(i). Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant. Accordingly, by this Affidavit and Warrant I seek authority for the government to search all of the items specified in Section I, Attachment B (attached hereto and incorporated by reference herein) to the Warrant, and specifically to seize all of the data, documents and records that are identified in Section II to that same Attachment.

Respectfully submitted,

Terry D. Stinson
Special Agent
Coast Guard Investigative Service

The above-named agent provided a sworn statement attesting to the truth of the contents of the foregoing affidavit on the 20th day of December, 2017.

BRIAN A. TSUCHIDA
United States Magistrate Judge

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